

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Dwile K. II,

File No. 20-cv-02321 (ECT/ECW)

Plaintiff,

v.

**ORDER**

Kilolo Kijakazi,  
*Acting Commissioner of Social Security*,

Defendant.

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Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation on January 27, 2022. ECF No. 30. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam); ECF No. 31 (Defendant's notice of no objections). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 30] is **ACCEPTED**;
2. Plaintiff Dwile K. II's Motion for Summary Judgment [ECF No. 20] is **GRANTED** in part;
3. Defendant Acting Commissioner of Social Security Kilolo Kijakazi's Motion for Summary Judgment [ECF No. 25] is **DENIED**;
4. This case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the Report and Recommendation [ECF No. 30]; and

5. This case is **DISMISSED WITH PREJUDICE.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 15, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court